# Village Council Monday, January 5, 2009 6:30 PM

#### **Minutes**

**Call to Order:** Mr. Deeds called the meeting to order at 6:30pm

**Pledge of Allegiance:** Mrs. Turner led the Pledge of Allegiance

Roll Call:

John Bender Rick Deeds Bruce Jarvis Bobbie Mershon

Victor Paini Marilyn Rush-Ekelberry Leah Turner

### **Approval of Minutes:**

Dr. Bender moved to approve the minutes from the December 15<sup>th</sup>, 2008 Public Hearing, the December 15<sup>th</sup>, 2008 Regular Council Meeting and the December 16<sup>th</sup>, 2008 Joint Public Hearing with City of Pickerington. Mr. Paini seconded the motion.

Mrs. Rush-Ekelberry asked that the minutes of the 15<sup>th</sup> be amended to reflect that she read Ordinance O-12-08B and O-12-08C in the absence of Mrs. Turner.

**VOTE:** AYES Dr. Bender, Mrs. Mershon, Mr. Paini,

Ms. Rush-Ekelberry, Mr. Deeds, Mr. Jarvis

**NAYS** 

Mrs. Turner abstained. Motion carried.

# **Communications & Petitions:**

A notice was received from Ohio Division of Liquor Control to Transfer a Contract Liquor Agency along with a Carry-out Liquor License for Kroger Company 6095 Gender Road. Request for a hearing must be filed by January 20, 2009.

A notice was received from Ohio Division of Liquor Control of request for D1 Permit by Golden China Canal Winchester, inc. 6346 Gender Road. D1 permit is a permit for Beer Only for on premises consumption or in sealed containers for carry-out. Request for hearing must be filed by January 26, 2009.

A letter was received from American Council of Engineering Companies of Ohio announcing that EMH&T has received an Honor Award for the West Columbus Street Reconstruction with Pervious Pavement.

A letter was received from Ohio EPA giving a notice of requirement to submit to the OEPA the Annual Sewage Sludge Report 4229 by January 31, 2009.

The Mid Year Report for the 2008 Working Agreement was received from the Franklin Soil and Water Conservation District to the Village. (NPDES)

An E-Mail was received from Andrew Beauseau of 749 Groveport Road asking Council to vote against allowing Rockford Homes to build apartments on property near his.

A letter was received from the Board of Trustees of the Greensview Village Condominium Association and an accompanying petition signed by 57 residents of Greensview Village Condominium Association and Eagle Ridge Condominium Association voicing strong opposition to the apartment complex proposed by Rockford Homes.

### **Old Business:**

In the matter of the Appeal by Rockford Homes – Rockford Homes Canal Crossing Application No. SDP-08-07, Findings of Fact and Conclusions of Law...

Mr. Jarvis moved to adopt the Findings of Fact and Conclusions of Law dated January 5<sup>th</sup>, 2009 disapproving Rockford Homes application # SDP-08-07 for the reasons set forth in detail in the Findings and Conclusions, including the determination that this is a legislative matter not subject to an administrative appeal. Dr. Bender seconded the motion.

VOTE: AYES Dr. Bender, Mrs. Mershon, Mr. Paini, Mrs. Turner

Ms. Rush-Ekelberry, Mr. Deeds, Mr. Jarvis

**NAYS** 

Motion carried.

### **Village Residents Comments:**

Five-minute limit per person

**Sal Multerer**, of 253 Powderhorn Place, has lived here for 29 years and has been active in the community in many ways. She picked Canal Winchester because it is a good community. She stated that 40 years ago, though, Canal wouldn't have wanted her. At that time, she lived in an apartment and she wasn't less of a citizen of the community because of that. She raised three kids, two of them would like to come back home to live, but they can't come here. They would need apartments. The age group of the 20's is missing in this area because there is nowhere for them to live.

**Jeffrey Bond**, of 146 Washington Apt. C, stated that Olentangy Village was the first apartment complex in Columbus in 1930's and was built in the TND style development with shops and stores. That is the kind of development that we want. Mr. Bond chose this community over a community in Colorado and recently found the power point presentation he gave to Council several years ago. He found information on the Canal Villas. Villas would never lose value.

**Fred Bivens**, President of Eagle Ridge Condo Association, thanked Council for the way in which this manner was handled.

**Jim Bohnlein**, of 6320 Rossmore Lane, also thanked council for their vote. He believes there are affordable housing options in the Community. We want people in the community that take pride in ownership, not ones that move in and move out. The apartment owners do not care about the quality of the people; they just want the money from the rent.

## **ORDINANCES:**

## **FIRST Reading**

Sponsor: Mr. Jarvis

O-01-09A AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT

FOR PROSECUTION OF CRIMINAL CASES IN THE FRANKLIN COUNTY

MUNICIPAL COURT AND CERTAIN CIVIL DIVISION CASES FOR THE CALENDAR

YEAR 2009 WITH THE CITY OF COLUMBUS ATTORNEYS OFFICE.

Mr. Jarvis read the Ordinance. First reading only.

Sponsor: Mr. Paini

O-01-09B AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO THE

NORTHWEST FAIRFIELD 33 CORRIDOR JOINT ECONOMIC DEVELOPMENT DISTRICT CONTRACT BY AND BETWEEN VIOLET TOWNSHIP, THE CITY OF LANCASTER, THE CITY OF PICKERINGTON AND THE VILLAGE OF CANAL

WINCHESTER

Mr. Paini read the Ordinance. First reading only.

# **THIRD Reading**

Sponsor: Dr. Bender

O-12-08A AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A LEASE

AGREEMENT WITH NEW PAR, DBA VERIZON WIRELESS, FOR THE USE OF

CERTAIN SPACE ON THE NORTH GENDER WATER TOWER

Dr. Bender read the ordinance and moved to adopt Ordinance 01-09. Mrs. Mershon seconded the motion.

VOTE:

AYES Dr. Bender, Mrs. Mershon, Mr. Paini, Mrs. Turner

Ms. Rush-Ekelberry, Mr. Deeds, Mr. Jarvis

**NAYS** 

Motion carried.

Sponsor: Mrs. Turner

O-12-08B AN ORDINANCE CREATING THE POSITION OF LANDSCAPE MAINTENANCE

LABORER FOR THE VILLAGE OF CANAL WINCHESTER, OHIO WITH A SALARY

RANGE OF \$11.06 PER HOUR TO \$15.28 PER HOUR.

Mrs. Turner read the Ordinance and moved to adopt Ordinance 02-09. Mr. Paini seconded the

motion.

**VOTE:** AYES Dr. Bender, Mrs. Mershon, Mr. Paini, Mrs. Turner

Ms. Rush-Ekelberry, Mr. Deeds, Mr. Jarvis

**NAYS** 

Motion carried.

Sponsor: Mrs. Turner

O-12-08C AN ORDINANCE CREATING THE POSITION OF PUBLIC WORKS

ADMINISTRATIVE ASSISTANT FOR THE VILLAGE OF CANAL WINCHESTER, OHIO WITH A SALARY RANGE OF \$14.02 PER HOUR TO \$19.70 PER HOUR.

Mrs. Turner read the Ordinance and moved to adopt Ordinance 03-09. Mrs. Rush-Ekelberry seconded the motion.

**VOTE:** AYES Dr. Bender, Mrs. Mershon, Mr. Paini, Mrs. Turner

Ms. Rush-Ekelberry, Mr. Deeds, Mr. Jarvis

**NAYS** 

Motion carried.

Sponsor: Mr. Paini

O-12-08D AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT

WITH C.F. BIRD & R.J. BULL, INC. FOR PROFESSIONAL ENGINEERING

**SERVICES** 

Mr. Paini read the ordinance and moved to adopt Ordinance 04-09. Mr. Jarvis seconded the motion.

**VOTE:** AYES Dr. Bender, Mrs. Mershon, Mr. Paini, Mrs. Turner

Ms. Rush-Ekelberry, Mr. Deeds, Mr. Jarvis

**NAYS** 

Motion carried.

Sponsor: Dr. Bender

O-12-08F AN ORDINANCE TO ADOPT VARIOUS AMENDMENTS TO THE PRESERVATION

GUIDELINES.

Dr. Bender read the ordinance and moved to adopt Ordinance 05-09. Mrs. Mershon seconded the motion.

**VOTE:** AYES Dr. Bender, Mrs. Mershon, Mr. Paini, Mrs. Turner

Ms. Rush-Ekelberry, Mr. Deeds, Mr. Jarvis

**NAYS** 

Motion carried.

Sponsor: Mr. Paini

O-12-08G AN ORDINANCE TO ADOPT THE COMMERCIAL DEVELOPMENT STANDARDS Mr. Paini read the ordinance and moved to adopt Ordinance 06-09. Mrs. Rush-Ekelberry seconded the motion.

VOTE: AYES Dr. Bender, Mrs. Mershon, Mr. Paini, Mrs. Turner

Ms. Rush-Ekelberry, Mr. Deeds, Mr. Jarvis

**NAYS** 

Motion carried.

Sponsor: Mr. Jarvis

O-12-08H AMENDING ORDINANCE NO. 52-01 TO ADOPT THE REVISED PRELIMINARY

DEVELOPMENT PLAN FOR THE WINCHESTER CIRCLE DEVELOPMENT, A PART

OF THE ORIGINAL PIFER PROPERTY, ZONED PCD.

\*\*KCDG requests that this Ordinance be tabled until the January 20, 2009 meeting.\*\* Mr. Jarvis moved to table Ordinance o-12-08H to the next meeting, January 20<sup>th</sup>, 2009. Mr. Paini seconded the motion.

**VOTE:** AYES Dr. Bender, Mrs. Mershon, Mr. Paini, Mrs. Turner

Ms. Rush-Ekelberry, Mr. Deeds, Mr. Jarvis

**NAYS** 

Motion carried.

**Mayor's Report:** see written report.

<u>Public Works Director:</u> Mr. Peoples stated that storm drain cleaning is in process. Meter installations are continuing at the water dept. and we are up to 87% complete.

Water reclamation is continuing I&I investigations. A \$300/month issue has been resolved and is down to \$37/mo.

Dick Miller is finalizing locations for Spring tree planting.

Bill Sims and Mr. Peoples are finalizing designs for the 2009 CIP projects.

Mr. Jarvis asked about the wide spread loss of power last night. There was no information available. Gender Rd did not lose power.

**Development Director:** AK Athletic will be in front of P&Z for a 5000 sq ft addition to their building.

**Community Affairs Director:** see written report.

<u>Village Solicitor</u>: Mr. Hollins stated that he would address any questions with respect to the Facts and Findings. The need for Executive session is up to Council. He is happy to be finished with the annexation process and looks forward to finishing up the JEDD process.

**Fairfield County Sheriff:** Sgt. Kern read his report... it included in-depth year-end information. Dr. Bender asked how it compared to past years. Sgt. Kern stated he didn't have the written information, but it seemed to be consistent in his opinion.

Finance Director: see written report.

#### **Council Reports:**

Council Meeting Tuesday, January 20, 2009 at 7:00 PM (Moved for holiday)

Old Town Committee Monday, January 12, 2009 at 5:45 PM

•Work on the Interurban is underway and clearly visible.

Finance Committee Monday, February 2, 2009 at 5:45 PM Service Committee Tuesday, January 20, 2009 at 5:45 PM Monday, January 12, 2009 at 5:00 PM

**New Business:** None at this time.

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Adjournment:	_	Dr. Bender, Mrs. Ms. Rush-Ekelbe	djourn. Mrs. Turner seconded the motion.  . Mershon, Mr. Paini, Mrs. Turner erry, Mr. Deeds, Mr. Jarvis  Time out 7:12pm	
Clerk of Counc	cil		President of Council  Mayor	

Adjourn to Executive Session: Not needed.

NOTE: The minutes set forth herein are an extract of the Council meetings. Anyone desiring a transcript of the complete minutes of the Council meeting may obtain the same at a cost of \$10.00 per page.